

9696. Misbranding of LeSieur's Syrup of Tar and Cod Liver Extract. U. S. * * * v. Philias E. LeSieur (The Ocean Mills Co.). Plea of nolo contendere. Fine, \$25. (F. & D. No. 12885. I. S. No. 12891-r.)

On October 26, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Philias E. LeSieur, trading as the Ocean Mills Co., Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 29, 1919, from the State of Massachusetts into the State of New Hampshire, of a quantity of LeSieur's Syrup of Tar and Cod Liver Extract which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained alcohol, by volume 1.92 per cent, chloroform, 2.45 minims per fluid ounce, menthol, oil of tar, ammonium salts, sugar, and water.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles containing the said article and in the accompanying wrappers, falsely and fraudulently represented it to be effective as a preventative, treatment, remedy, and cure for bronchitis, catarrh, whooping cough, croup, asthma, consumption at its first stage, and all diseases of the respiratory organs, when, in truth and in fact, it was not.

On November 10, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9697. Adulteration of coloring matter. U. S. * * * v. 2 Cans * * * of Coloring Matter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12895. I. S. No. 253-t. S. No. C-2063.)

On July 29, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cans, more or less, of coloring matter, remaining unsold at Middletown, Ohio, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about July 3, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it contained an added poisonous or deleterious ingredient [arsenic], which might render it injurious to health.

On February 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9698. Misbranding of cottonseed cake. U. S. * * * v. Dallas Peanut Feed Manufacturers, a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 12889. I. S. No. 11967-r.)

On August 20, 1920, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dallas Peanut Feed Manufacturers, a corporation, Dallas, Tex., alleging shipment by said company, on or about October 24, 1918, in violation of the Food

and Drugs Act, as amended, from the State of Texas into the State of Kansas, of a quantity of unlabeled cottonseed cake which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 2, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9699. Misbranding of Diuretine and Bloodzone. U. S. * * * v. 40 Bottles * * * of Diuretine and 24 Bottles * * * of Bloodzone. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13760, 13761. Inv. Nos. 23294, 23295. S. Nos. C-2542, C-2543.)

On October 9, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 bottles, more or less, of Diuretine and 24 bottles, more or less, of Bloodzone, at Lexa, Ark., alleging that the articles had been shipped by the East India Medicine Co., St. Louis, Mo., in part on or about June 29, 1920, and in part on or about July 28, 1920, and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Diuretine consisted of potassium acetate, buchu extract, a laxative plant drug, oil of juniper berries, sugar, alcohol, and water; and that the Bloodzone consisted of extractives of plant drugs, including a laxative drug, sugar, alcohol, and water.

Misbranding of the articles was alleged in substance in the libel for the reason that there appeared upon the respective labels of the bottles containing the said articles and in the circulars inclosed with each of the said bottles the following statements regarding their curative and therapeutic effects, (Diuretine) (bottle) “* * * For all diseases of the Kidneys and Bladder. * * * Diseases For Which Use Diuretine Acute Bright’s Disease, Inflammation of the Kidneys, Uremia, Uremic Convulsions, Gravel, Renal Colic, Lumbago or Pain in the Back, Inflammation of the Bladder, Catarrh of the Bladder, Rheumatism, Dropsy and Heart Disease. Daily Amount Of Urine * * * Any large amount of precipitation or settling indicates the use of Diuretine to prevent disease. * * *,” (circular) “* * * Diuretine Is a positive cure for all diseases of the Kidneys and Bladder, Rheumatism and Heart Diseases. Diseases which Diuretine will Cure Acute Bright’s Disease, Inflammation of the Kidneys, Uremia. Uremic Convulsions, Gravel, Renal Colic, Lumbago or Pain in the Back, Inflammation of the Bladder, Catarrh of the Bladder, Rheumatism and Heart Disease. Daily Amount of Urine * * * Any large amount of precipitation or settling indicates the use of Diuretine to prevent disease. Inflammation of the Kidneys * * * Bright’s Disease * * * acute inflammation of the kidneys * * * The Treatment of Bright’s Disease * * * Diuretine * * * Inflammation of the Bladder * * * Treatment of Inflammation of the Bladder * * * Diuretine * * * If you are sick and tired without being able to account for it, begin taking Diuretine as directed. Diuretine acts directly on the kidneys and will immediately assist nature in ridding your system of the poison which is beginning to show itself by your tired feeling, weak back, headache and loss of vim. Rheumatism Diuretine cures by cleansing the blood of all impurities through the kidneys. A tablespoonful every four hours will stop a threatening